

# PUBLIC NOTICE

**US Army Corps  
of Engineers®**

APPLICATION FOR PERMIT

*LOS ANGELES DISTRICT*

**Public Notice/Application No.:** 200301531-JPL

**Comment Period:** November 10, 2003 through November 24, 2003

**Project Manager:** Jason P. Lambert (213) 452-3361 [jason.p.lambert@usace.army.mil](mailto:jason.p.lambert@usace.army.mil)

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**Applicant**

Kirby Brill  
General Manager  
Mojave Water Agency  
P.O. Box 1089  
Apple Valley, California 92307

**Contact**

Norman Caouette  
Mojave Water Agency  
P.O. Box 1089  
Apple Valley, California 92307

**Location**

The proposed activity is to occur at two locations within an unvegetated portion of the Mojave River in San Bernardino County, California. Recharge Location One would be located immediately west of Deep Creek Road, and would be located in the eastern portion of the channel. Recharge Location Two would be located directly north of Rock Springs Road, and is also located in the eastern portion of the channel. Attached figures identify the project vicinity and site location within the Mojave River channel. (at: Location One: lat: 34.391766; long: -117.241183; Location Two: lat: 34.419026; long: -117.233135)

**Activity**

The Mojave Water Agency proposes to construct temporary berms at two locations within the Mojave River. The proposed volume of the sediment to be used to construct the berms would be approximately 22,500 cubic yards. These berms would cover approximately 19,000 linear feet in length and cover approximately 122.5 acres of unvegetated waters of the U.S. Material to be utilized for the construction of these berms would be exclusively from sand within the channel. To construct these temporary berms, the applicant would utilize track-driven bulldozers to push up sand into berms as shown in the attached drawings. The project would involve the release of State Water Project (SWP) water from the Metropolitan Water District of Southern California's supplies into the west fork of the Mojave River and the subsequent recharge of the Mojave River Basin. This project is proposed as a demonstration project, which is addressing the groundwater overdraft issues.

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Interested parties are hereby notified that an application has been received for a Department of the Army

permit for the activity described herein and shown on the attached drawing(s). Interested parties are invited to provide their views on the proposed work, which will become a part of the record and will be considered in the decision. This permit will be issued or denied under Section 404 of the Clean Water Act of 1972 (33 U.S.C. 1344). Comments should be mailed to:

U.S. Army Corps of Engineers, Los Angeles District  
Regulatory Branch  
ATTN: CESPL-CO-R-200301531-JPL  
P.O. Box 532711  
Los Angeles, California 90053-2325

Alternatively, comments can be sent electronically to: [jason.p.lambert@usace.army.mil](mailto:jason.p.lambert@usace.army.mil)

### **Evaluation Factors**

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof. Factors that will be considered include conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food production and, in general, the needs and welfare of the people. In addition, if the proposal would discharge dredged or fill material, the evaluation of the activity will include application of the EPA Guidelines (40 CFR 230) as required by Section 404 (b)(1) of the Clean Water Act.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

### **Preliminary Review of Selected Factors**

**EIS Determination-** A preliminary determination has been made that an environmental impact statement is not required for the proposed work.

**Water Quality-** The applicant has obtained a water quality certification, under Section 401 of the Clean Water Act, from the California Regional Water Quality Control Board. Section 401 requires that any applicant for an individual Section 404 permit provide proof of water quality certification to the Corps of Engineers prior to permit issuance.

**Coastal Zone Management-** This project is located outside of the coastal zone and will not affect coastal zone resources.

**Cultural Resources**- The latest version of the National Register of Historic Places has been consulted and this site is not listed. This review constitutes the extent of cultural resources investigations by the District Engineer, and he is otherwise unaware of the presence of such resources.

**Endangered Species**- Preliminary determinations indicate that the proposed activity would not affect federally-listed endangered or threatened species, or their critical habitat. Therefore, formal consultation under Section 7 of the Endangered Species Act does not appear to be required at this time.

**Public Hearing**- Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearing shall state with particularity the reasons for holding a public hearing.

**Proposed Activity for Which a Permit is Required** To temporarily discharge approximately 22,500 cubic yards of native sand material in two unvegetated stretches of the west fork of the Mojave River in San Bernardino County. The proposed discharge site encompasses approximately 122.5 acres. The combined total length of the berms at the two recharge locations is approximately 19,000 linear feet. The berms would have an average width of 16 feet at the base, and a height of 4 feet on average.

#### **Additional Project Information**

The following information has been provided to present additional information on the predicted impacts, mitigation, and the special conditions of the proposed activity.

**Site Description:** The project sites are located within an unvegetated portion of the Mojave River. The substrate of the project sites is almost entirely comprised of sand, which makes the location an ideal choice for rapid groundwater recharge. No jurisdictional wetlands occur on the project site.

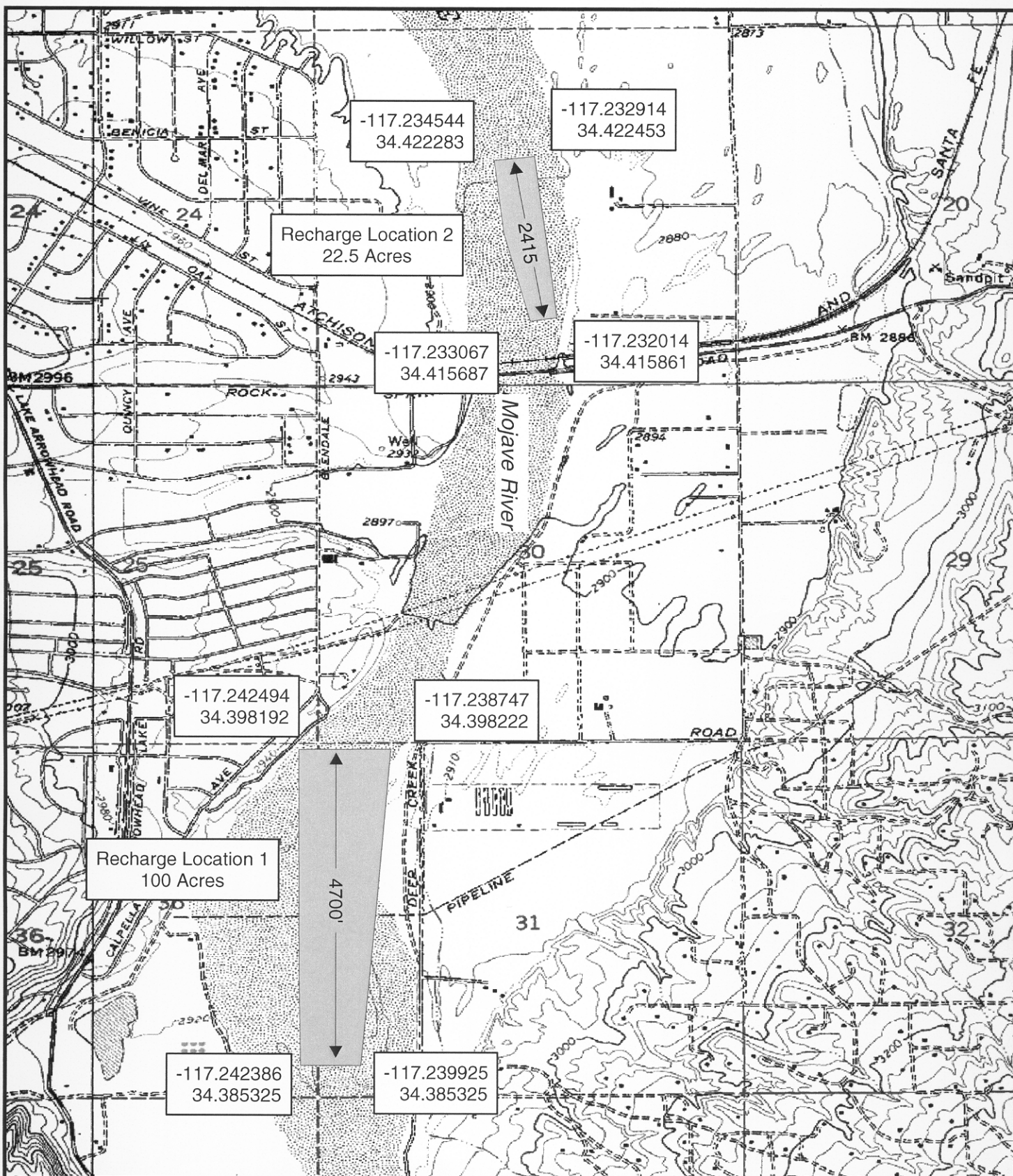
**Mitigation:** The applicant has proposed to restore the impacted area to pre-project conditions upon completion of the proposed project. Additionally, the applicant has agreed to monitor the project area to ensure that no non-native vegetation become established at the proposed project site.

**Purpose and Need as Determined by the Corps:** The Corps has determined that the basic project purpose is groundwater recharge. The proposed project is not water dependent. Per Clean Water Act Guidelines, an evaluation of alternatives would be required to demonstrate that the proposed activity is the Least Environmentally Damaging Practicable Alternative (LEDPA). The Corps has determined that the overall project purpose is to provide groundwater Recharge to the Mojave River Basin in San Bernardino County, California.

#### **Proposed Special Conditions**

1. No native vegetation shall be impacted by the proposed project.
2. No non-native fill shall be placed within the project site.
3. All work will be completed outside of the nesting bird season.
4. Berms shall not impede natural flows of the river.

For additional information please call Jason P. Lambert of my staff at (213) 452-3361. This public notice is issued by the Chief, Regulatory Branch.



# Site Map

## MojaVe River Groundwater Banking Project

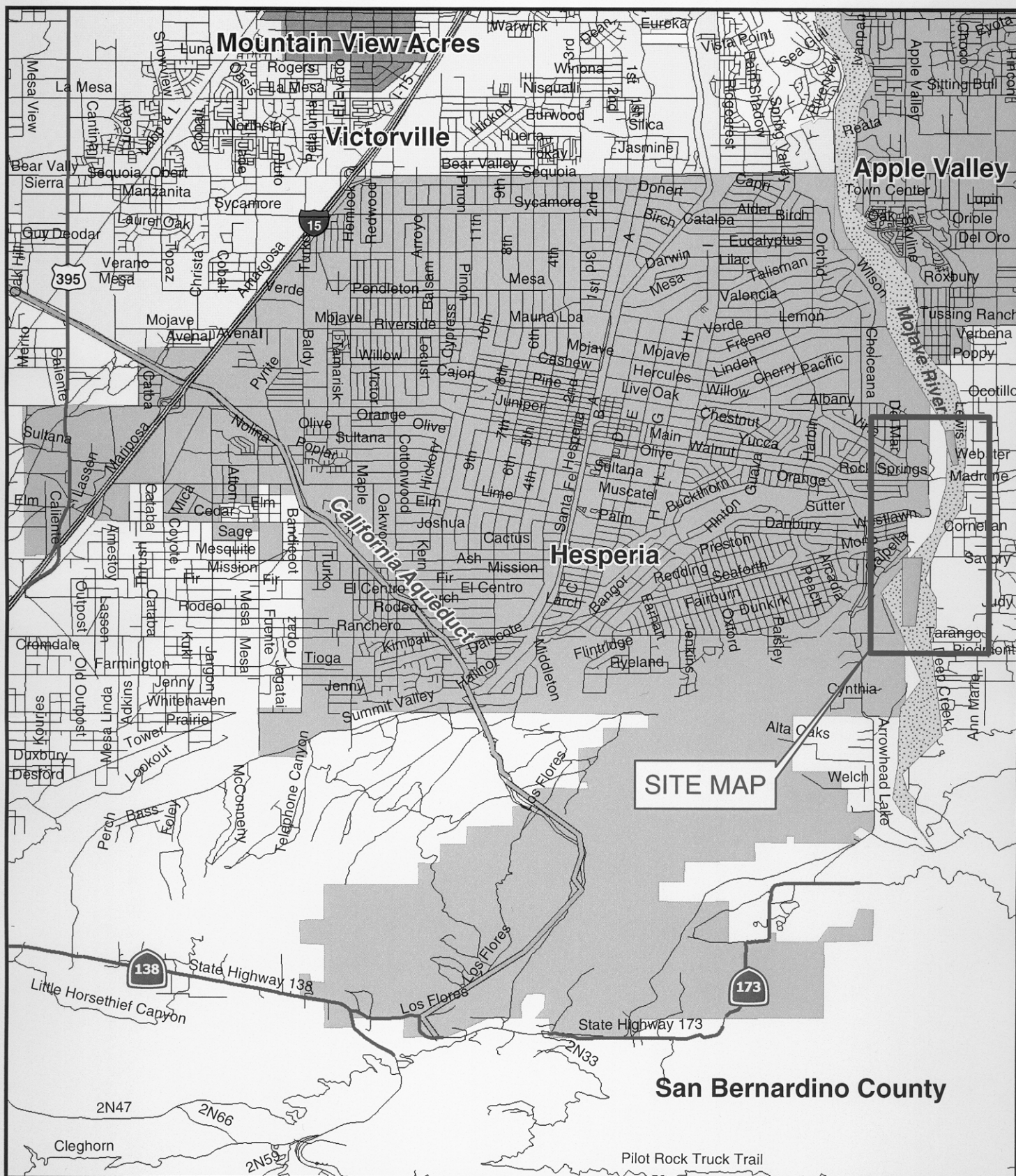
0 1,000 2,000  
Feet

1 inch equals 2,000 feet



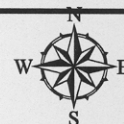
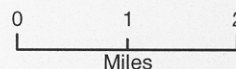
MojaVe Water Agency - Water Resources Department  
Coordinate system: WGS - 84  
Data Sources: MWA database, Delorome Topo Qaud  
Author: Brian G. Hammer SR Date: October 2003



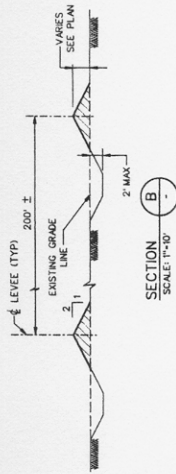
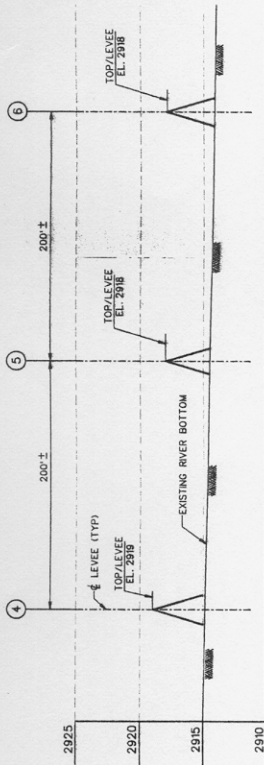


# Vicinity Map

## Mojave River Groundwater Banking Project

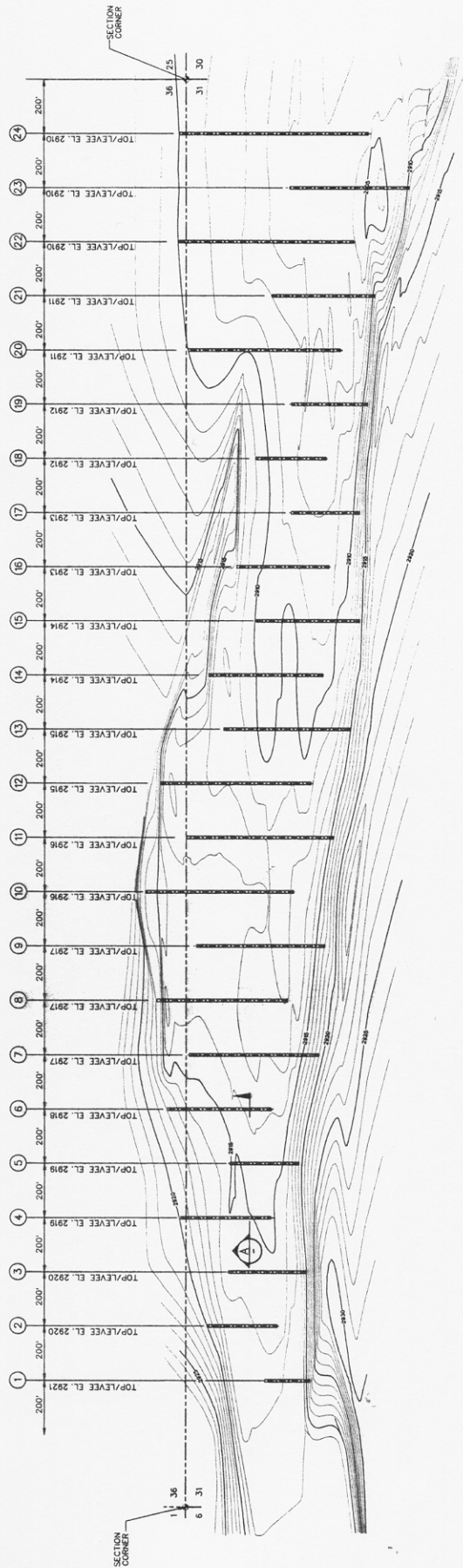


Mojave Water Agency - Water Resources Department  
 Coordinate system: WGS - 84  
 Data Sources: MWA database, US Census 2000  
 Author: Brian G. Hammer SR Date: October 2003



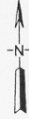
SECTION A  
SCALE: 1" = 50'

SECTION B  
SCALE: 1" = 50'



DEEP CREEK ROAD

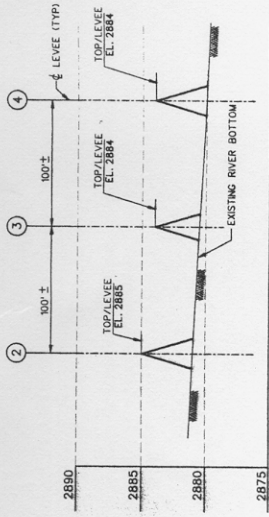
PLAN  
SCALE: 1" = 200'



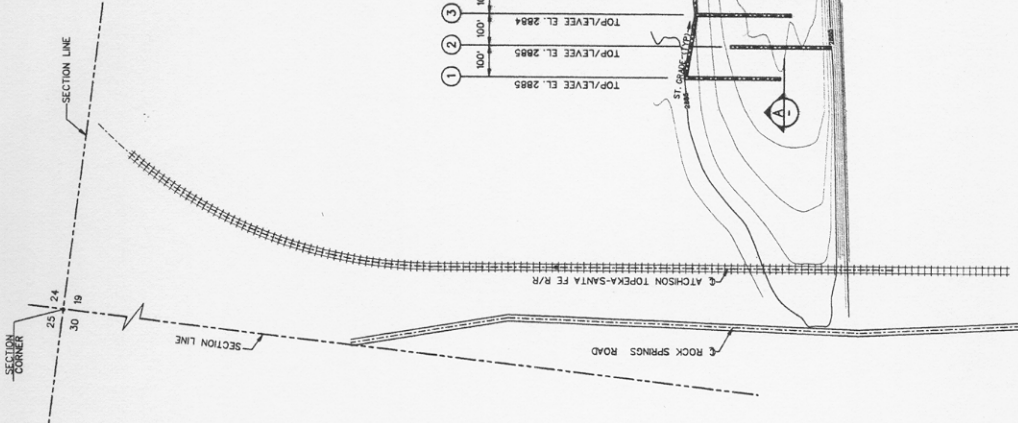
50' 0 100' 200'  
HORIZONTAL SCALE - 1" = 200'

MOJAVE WATER AGENCY MOJAVE RIVER GROUNDWATER BANKING PROJECT		MOJAVE RIVER GROUNDWATER BANKING PROJECT RECHARGE LOCATION 1 PLAN, SECTIONS AND DETAILS		DRAWING C-1 JOB NO. 268
APPROVED: <i>[Signature]</i> DIRECTOR OF ENGINEERING - CERT. R. MARTIN REG. NO. C 031145 EXP. DATE 06/30/14		MOJAVE WATER AGENCY 22450 HEDDQURTSE RD., Box 1089 Apple Valley, CA 92307 (951) 847-2261		
ISSUED FOR CONSTRUCTION		NO. C 031145 EXP. DATE 06/30/14		
REVISIONS		NO. DATE DWN CHK		

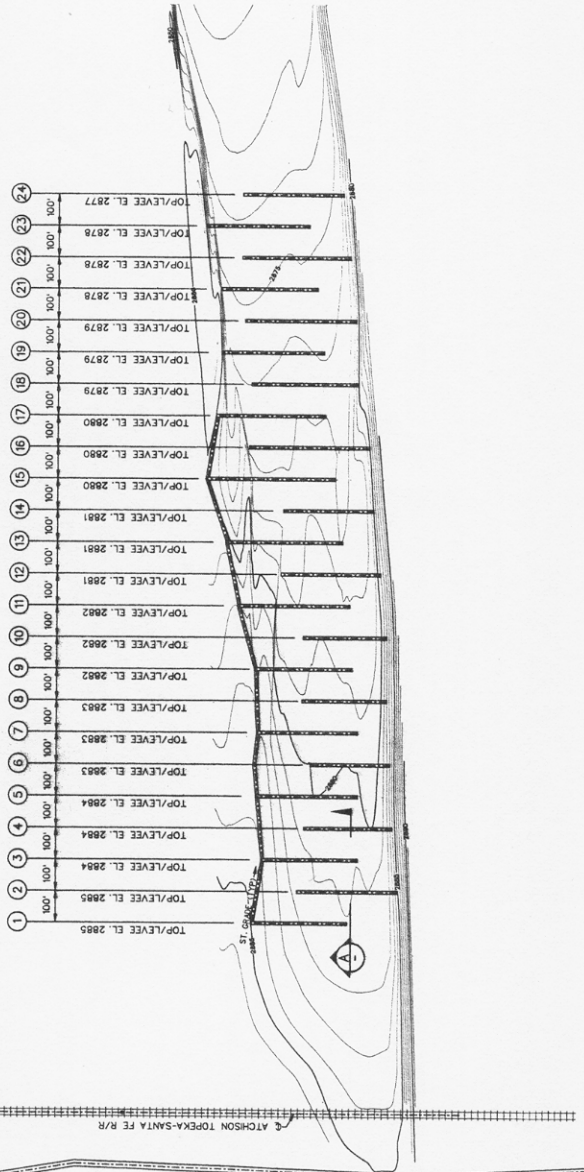
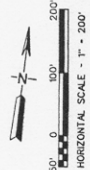




SECTION A  
SCALE 1" = 50'



SECTION B  
SCALE 1" = 100'



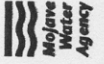
SECTION C  
SCALE 1" = 100'

DRAWING  
C-2  
JOB NO.  
268

MOJAVE RIVER GROUNDWATER BANKING PROJECT  
RECHARGE LOCATION 2  
PLAN, SECTIONS AND DETAILS

MOJAVE WATER AGENCY  
MOJAVE RIVER GROUNDWATER BANKING PROJECT

MOJAVE WATER AGENCY  
22450 Headquarters P.O. Box 1088  
Apple Valley, CA 92307  
(818) 240-9201



APPROVED:  
*Gary R. Martin*  
DIRECTOR OF ENGINEERING - GARY R. MARTIN  
EXPIRATION DATE 06/30/04

NO.	DATE	BY	CHK	REVISIONS
1	01/17/03	DMW	CHK	ISSUED FOR CONSTRUCTION